

Review the possible infractions detected under the Regional Observer Programme in 2021

PREPARED BY: IOTC SECRETARIAT¹, 26 JANUARY 2021

PURPOSE

To provide participants at the Working Party on the Implementation of Conservation and Management Measures (WPICMM) with the list of possible infractions, against IOTC Conservation and Management Measures (CMMs), detected under the Regional Observer Programme (ROP) in 2021 and as recorded by observers deployed under the at-sea transshipment programme.

BACKGROUND

The component 10, sub-component 10.1, of the work Plan of the WPICMM comprise the following activities:

10	Monitor the development of, and recommend actions for the list of Large Scale Tuna Longline Vessels (LSTLVs)/carrier vessels presumed to have committed infractions of IOTC CMMs, as recorded by observers deployed under the at-sea transshipment programme
10.1	<i>List of possible infractions under the ROP</i>
10.1.1	Review of the evidence to be presented on vessels presumed to have committed the infractions
10.1.2	Request for further evidence from the CPCs on the list of vessels presumed to have committed infractions
10.1.3	Recommend actions for the CoC on the list of vessels presumed to have committed infractions
10.1.4	Monitor the development of recommended actions on the vessels that have committed infractions
10.1.5	Recommend that the list of possible infraction under the ROP is presented to the WPICMM

DISCUSSION

The work plan of the Working Party on the Implementation of Conservation and Management measures (WPICMM), component 10 “Monitor the development of, and recommend actions for the list of Large Scale Tuna Longline Vessels (LSTLVs)/carrier vessels presumed to have committed infractions of IOTC CMMs, as recorded by observers deployed under the at-sea transshipment programme”. Sub-component 10.1 makes provision for CPCs to review the list of possible infractions detected under the ROP and Recommend actions for the Compliance Committee (CoC) on the list of vessels presumed to have committed infractions (Activity 10.1.3).

In line with the above, the Sixteenth Session of the Compliance Committee (CoC) made the following recommendation:

Notwithstanding the timing of the WPICMM meeting and the deadline for responses, the CoC **RECOMMENDED** that the responses to the possible infractions be analyse by the IOTC Secretariat, CoC16.08 (Para 31).

In view of the above recommendation the IOTC Secretariat provide the list of possible infractions reported up to the 31st December 2021 (Annex I), in order to receive the results of the investigations by 15th January 2022, from the concerned fleets.

In line with the requirement of IOTC Resolution 21/02 *On establishing a programme for transshipment by large-scale fishing vessels*, this document provides a summary of possible infractions against IOTC Resolutions by Large Scale Tuna Longline Vessels (LSTLVs) and carrier vessels, as recorded by observers deployed under the Programme during 2021.

¹ IOTC-Secretariat@fao.org

Paragraph 26. The IOTC Secretariat shall, when providing CPCs with copies of all raw data, summaries and reports in accordance with paragraph 10 of **Annex IV** to this Resolution, also indicate evidence indicating possible infraction of IOTC regulations by LSTLVs/carrier vessels flagged to that CPC. Upon receiving such evidence, each CPC shall investigate the cases and report the results of the investigation back to the IOTC Secretariat three months prior to the IOTC Compliance Committee meeting. The IOTC Secretariat shall circulate among CPCs the list of names and flags of the LSTLVs/Carrier vessels that were involved in such possible infractions as well as the response of the flag CPCs 80 days prior to the IOTC Compliance Committee meeting.

The summary of possible infractions are presented under four distinct categories (Possible infractions relating to authorisation to fish (ATF); Possible infractions relating to Vessel Monitoring System (VMS); Possible infractions relating to fishing logbooks, and Possible infractions relating to marking of fishing vessels; by fleets, in Table 1. Detailed information of these possible infractions are provided in Annex I. The observations that have been made by observers are in fulfilment of observer tasks, as provided for in Resolution 21/02.

Annex IV, Paragraph 5. The observer tasks shall be in particular to:

- a) On the Fishing Vessel intending to tranship to the carrier vessel and before the transshipment takes place, the observer shall:
 - i. check the validity of the fishing vessel's authorisation or licence to fish tuna and tuna like species in the IOTC Area of competence;
 - ii. check and note the total quantity of catch on board, and the quantity to be transferred to the carrier vessel;
 - iii. check that the VMS is functioning and examine the logbook;
 - iv. verify whether any of the catch on board resulted from transfers from other vessels, and check documentation on such transfers;
 - v. in the case of an indication that there are any violations involving the fishing vessel, immediately report the violations to the carrier vessel's master,
 - vi. report the results of these duties on the fishing vessel in the observers report.

In all, up to the 31st December 2021², a total of 10 possible infractions were recorded (2020: 59; 2019: 178), of which:

- 3 related to fishing logbook (2020: 20; 2019: 33),
- 4 related to marking of vessels (2020: 19; 2019: 51),
- 3 related to ATF (2020: 20; 2019: 22),
- 0 related to VMS (2020: 0; 2019: 70).


These were communicated to the concerned fleets participating in the Programme, as and when the concerned deployment reports were approved by the IOTC Secretariat.

Of the 10 possible infractions notified to the participating fleets, 10 responses were received (Table 1). Three fleets, China, Oman and Taiwan, Province of China, have provided their responses before the deadline of 15th January 2022, and the fleet of Seychelles has provided the responses for the cases observed after the deadline of 15th January 2022. The responses are provided in paper IOTC-2022-WPICMM05-04_Add2.

² Note observer deployment was suspended in March 2020 (Circular 2020-14) and a limited number of observers were deployed in 2021, due to the COVID-19 pandemic. Consequently the number of possible infractions may not be reflective of what would be detected in a "normal" year.

Table 1 – Summary of possible infractions by category of possible infraction and by participating fleets in 2021.

		China	Taiwan, Province of China	Japan	Kenya	Korea	Malaysia	Oman	Seychelles	Total by Category		
Authorisation to Fish (ATF)	Possible infractions	0	1					1	1	3		
	Responses received	0	1					1	1	3		
Vessel Monitoring System (VMS)	Possible infractions											
	Responses received											
Fishing Logbook	Possible infractions	1								2	3	
	Responses received	1								2	3	
Marking of vessel	Possible infractions	1	2								1	4
	Responses received	1	2								1	4
Total by fleet	Possible infractions	2	3					1	4	10		
	Responses received	2	3					1	4	10		

 No possible infraction notified

RECOMMENDATION/S

That the WPICMM05:

- 1) **NOTE** paper IOTC–2022–WPICMM05–04.
- 2) **NOTE** that one CPC, Seychelles has provided the responses for the cases observed after the deadline of 15th January 2022.
- 3) **NOTE** that three fleets, China, Taiwan, Province of China and Oman have provided their responses before the deadline of 15th January 2021.

Annex I

List of possible infractions detected under the Regional Observer Programme in 2021

CHINA

Fleet:	Type of possible infraction:	Name of vessel	Deployment number and name of carrier vessel:	Date sent to fleet	Date of response
China	<input type="checkbox"/> VMS <input type="checkbox"/> Logbook <input type="checkbox"/> ATF <input checked="" type="checkbox"/> Marking	LU QING YUAN YU 106	688 – Feng Lu	02/11/2021	12/01/2022

Fleet:	Type of possible infraction:	Name of vessel	Deployment number and name of carrier vessel:	Date sent to fleet	Date of response
China	<input type="checkbox"/> VMS <input checked="" type="checkbox"/> Logbook <input type="checkbox"/> ATF <input type="checkbox"/> Marking	LU RU YUAN YU 188	688 – Feng Lu	02/11/2021	12/01/2022

OMAN

Fleet:	Type of possible infraction:	Name of vessel	Deployment number and name of carrier vessel:	Date sent to fleet	Date of response
Oman	<input type="checkbox"/> VMS <input type="checkbox"/> Logbook <input checked="" type="checkbox"/> ATF :	ISRAR1	710 - Taisei Maru No. 15	02/11/2021	10/11/2021

SEYCHELLES

Fleet:	Type of possible infraction:	Name of vessel	Deployment number and name of carrier vessel:	Date sent to fleet	Date of response
Seychelles	<input type="checkbox"/> VMS <input checked="" type="checkbox"/> Logbook <input type="checkbox"/> ATF <input type="checkbox"/> Marking	FV Jumanji	705 – Taisei Maru No.24	20/08/2021	28/01/2022
Fleet:	Type of possible infraction:	Name of vessel	Deployment number and name of carrier vessel:	Date sent to fleet	Date of response
Seychelles	<input type="checkbox"/> VMS <input checked="" type="checkbox"/> Logbook <input type="checkbox"/> ATF <input type="checkbox"/> Marking	FV Jumanji	705 – Taisei Maru No.24	20/08/2021	28/01/2022
Fleet:	Type of possible infraction:	Name of vessel	Deployment number and name of carrier vessel:	Date sent to fleet	Date of response
Seychelles	<input type="checkbox"/> VMS <input type="checkbox"/> Logbook <input type="checkbox"/> ATF <input checked="" type="checkbox"/> Marking	FV Jumanji	710 – Taisei Maru No.15	02/11/2021	27/01/2022
Fleet:	Type of possible infraction:	Name of vessel	Deployment number and name of carrier vessel:	Date sent to fleet	Date of response
Seychelles	<input type="checkbox"/> VMS <input type="checkbox"/> Logbook <input checked="" type="checkbox"/> ATF <input type="checkbox"/> Marking	FV J-Harvest	710 – Taisei Maru No.15	02/11/2021	27/01/2022

TAIWAN, PROVINCE OF CHINA

Fleet:	Type of possible infraction:	Name of vessel	Deployment number and name of carrier vessel:	Date sent to fleet	Date of response
Taiwan, Province of China	<input type="checkbox"/> VMS <input type="checkbox"/> Logbook <input type="checkbox"/> ATF <input checked="" type="checkbox"/> Marking	JAIN LIH NO.212	710 - Taisei Maru No. 15	02/11/2021	06/12/2021
Fleet:	Type of possible infraction:	Name of vessel	Deployment number and name of carrier vessel:	Date sent to fleet	Date of response
Taiwan, Province of China	<input type="checkbox"/> VMS <input type="checkbox"/> Logbook <input checked="" type="checkbox"/> ATF <input type="checkbox"/> Marking	HUNG RUNG NO.2	714 – Genta Maru	22/11/2021	09/12/2021
Fleet:	Type of possible infraction:	Name of vessel	Deployment number and name of carrier vessel:	Date sent to fleet	Date of response
Taiwan, Province of China	<input type="checkbox"/> VMS <input type="checkbox"/> Logbook <input type="checkbox"/> ATF <input checked="" type="checkbox"/> Marking	WOEN DAR NO.168	714 – Genta Maru	22/11/2021	09/12/2021